

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

JEREMY SMITH,

Petitioner,

v.

Civ. No. 06-587 WJ/RHS

ROBERT ULIBARRI, Warden, et al.,

Respondents.


**ORDER ADOPTING MAGISTRATE JUDGE'S RECOMMENDATION  
AND GRANTING RESPONDENTS' MOTION TO STRIKE**

THIS MATTER comes before the Court on the proposed findings and recommendation of the United States Magistrate Judge ("PFD"), filed January 29, 2007 [**Doc. 12**] and Respondents' Motion to Strike Patricia A. Madrid, Attorney General, as a Named Respondent ("Motion to Strike"), filed December 18, 2006 [**Doc. 10**]. No objections have been filed to the Magistrate Judge's PFD. Having considered the same, the Court will adopt the Magistrate Judge's findings and recommendation and will grant Respondents' Motion to Strike.

**WHEREFORE,**

**IT IS ORDERED** that the findings and recommendation of the United States Magistrate Judge [**Doc. 12**] are adopted by the Court.

**IT IS FURTHER ORDERED** that Respondents' Motion to Strike Patricia A. Madrid, Attorney General, as a Named Respondent [**Doc. 10**] is **granted** and Attorney General Patricia Madrid is stricken as a named respondent.

  
UNITED STATES DISTRICT JUDGE